

Indiana Civil Rights Commission
AGENCY MONTHLY REPORT
OCTOBER 2012



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Executive Director

Intake

The Intake section of the report shows the number of phone, web and/or mail inquiries received from the public. It also shows the number of jurisdictional complaints drafted and mailed. The number of signed complaints received for investigation is also reported.

	Jan 2012	Feb 2012	Mar 2012	Apr 2012	May 2012	June 2012	July 2012	Aug 2012	Sept 2012	Oct 2012	Nov 2012	Dec 2012	Year to Date
Total Number of Inquiries	305	366	381	419	377	279	354	344	285	375			3485
Number of Complaints Drafted	61	69	64	103	103	72	66	42	60	59			699
% of inquiries drafted	20%	19%	17%	25%	27%	26%	19%	12%	21%	16%			20%
Employment	43	54	45	58	81	52	52	32	49	49			515
Real Estate	6	4	3	8	5	7	9	4	4	4			54
Public Accommodation	2	4	4	5	12	3	2	5	6	0			43
Credit	0	0	0	0	0	0	0	0	0	0			0
Education	3	2	3	3	5	4	3	1	1	2			27
Unknown	7	5	9	37	0	6	0	0	0	0			64
Number of Complaints Formalized	85	84	95	73	99	67	69	66	46	51			735
Employment	75	67	73	57	73	47	54	43	29	40			558
Transferred from EEOC*	23	17	7	1	4	0	4	2	1	1			60
Real Estate	4	8	14	6	16	6	8	14	11	9			96
Transferred from HUD**	1	2	1	1	5	1	3	3	2	3			22
Public Accommodation	6	4	5	8	7	12	4	7	5	1			59
Credit	0	0	0	0	0	0	0	0	0	0			0
Education	0	5	3	2	3	2	3	2	1	1			22

*EEOC sends cases to ICRC pursuant of the Deferral Program. These transfers are included in the total # of EEOC complaints formalized.

**Reflects cases retrieved from Teapots. These transfers are included in the total # of HUD complaints formalized.

Inquiries by Region

This section provides a breakdown of the inquiries received by each region.

	Jan 2012	Feb 2012	Mar 2012	Apr 2012	May 2012	June 2012	July 2012	Aug 2012	Sept 2012	Oct 2012	Nov 2012	Dec 2012	Year to Date
Total Number of Inquiries by Region	305	366	381	419	377	279	354	344	285	375			3485
Region 1	40	51	38	53	46	44	30	38	45	42			427
Region 2	22	36	38	40	26	20	27	30	23	35			297
Region 3	11	13	22	31	22	14	25	23	11	29			201
Region 4	7	11	12	13	10	11	12	21	10	24			119
Region 5	132	146	156	158	148	110	151	140	120	138			1399
Region 6	26	37	35	35	32	19	34	30	20	40			308
Region 7	18	12	18	21	29	16	15	17	14	17			177
Region 8	18	19	19	11	24	20	20	15	12	15			173
Region 9	17	19	16	28	27	19	35	20	22	22			225
Unknown	14	22	27	29	13	6	5	10	8	13			147

Region 1: Jasper, Lake, LaPorte, Newton, Porter, Pulaski and Starke

Region 2: St. Joseph, Elkhart, Marshall, Fulton, Kosciusko, Wabash, Cass and Miami

Region 3: LaGrange, Steuben, Noble, Dekalb, Whitley, Allen, Huntington, Wells and Adams

Region 4: White, Benton, Warren, Tippecanoe, Carroll, Clinton, Fountain and Montgomery

Region 5: Boone, Hamilton, Hendricks, Marion, Hancock, Morgan, Johnson and Shelby

Region 6: Howard, Grant, Blackford, Jay, Tipton, Madison, Delaware, Randolph, Henry, Wayne, Rush, Fayette, Union and Franklin

Region 7: Vermillion, Parke, Putnam, Vigo, Clay, Owen, Sullivan, Greene and Monroe

Region 8: Knox, Daviess, Martin, Lawrence, Gibson, Pike, Dubois, Orange, Crawford, Posey, Vanderburgh, Warrick, Spencer and Perry

Region 9: Brown, Bartholomew, Clark, Dearborn, Decatur, Floyd, Franklin, Harrison, Jackson, Jefferson, Jennings, Ohio, Ripley, Scott, Switzerland and Washington

Unknown: If the location of the inquiry cannot be identified.

Investigation

The Investigation section shows the overall age of cases currently being investigated by the agency. Cases over 100 days in Real Estate or 180 days in all other cases could be in the Legal Department pending a decision. (Aged is >100 days in Real Estate and >180 days in all other cases).

	Jan 2012	Feb 2012	Mar 2012	Apr 2012	May 2012	June 2012	July 2012	Aug 2012	Sept 2012	Oct 2012	Nov 2012	Dec 2012	Year to Date
% of Aged Cases by Area													
Employment	20%	20%	25%	22%	26%	27%	16%	18%	15%	18%			21%
Real Estate	0%	19%	12%	15%	0%	0%	0%	3%	9%	6%			6%
Public Accommodation	19%	22%	20%	25%	27%	13%	7%	6%	2%	7%			15%
Credit	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%			0%
Education	14%	17%	20%	14%	35%	25%	18%	27%	29%	21%			22%
Open Cases by Area													
Employment	369	392	429	433	444	449	425	340	331	317			
Real Estate	53	47	47	41	52	41	45	51	50	51			
Public Accommodation	50	53	56	61	57	62	62	42	50	38			
Credit	0	0	0	0	0	0	0	0	0	0			
Education	20	24	27	28	25	27	30	22	22	22			

Closures

The Closure section indicates the number of cases closed and how the case was closed after a complete investigation. NPC = No Probable Cause, CWS = Closed with Settlement (Mediation Agreement), CW = Closed Withdrawal, AD = Administrative Dismissal (Lack of Jurisdiction, Failure to Cooperate/Locate), FO = Final Order.

	Jan 2012	Feb 2012	Mar 2012	Apr 2012	May 2012	June 2012	July 2012	Aug 2012	Sept 2012	Oct 2012	Nov 2012	Dec 2012	Year to Date
Number of Cases Closed	62	42	46	73	64	66	88	152	40	68			701
Employment	42	27	31	55	45	38	75	106	33	47			499
Real Estate	10	13	13	13	3	21	9	11	7	6			106
Public Accommodation	7	1	2	2	12	5	4	25	0	13			71
Education	3	1	0	3	4	1	0	10	0	2			24
Credit	0	0	0	0	0	1	0	0	0	0			1
Type of Closure													
NPC	43	31	37	56	45	40	60	129	28	52			521
CWS	8	6	5	9	11	9	13	9	5	7			82
CW	3	1	2	4	5	6	2	4	1	6			34
AD	3	4	1	0	3	3	7	5	3	1			30
FO	5	0	1	4	0	8	6	5	3	2			34

Legal

The Legal section tracks cases receiving probable/reasonable cause, as well as provides information on active cases being handled by the Legal Department.

	Jan 2012	Feb 2012	Mar 2012	Apr 2012	May 2012	June 2012	July 2012	Aug 2012	Sept 2012	Oct 2012	Nov 2012	Dec 2012	Year to Date
Probable/Reasonable Cause Findings	12	2	4	5	4	6	6	8	3	2			52
Employment	9	2	3	2	3	6	3	6	2	1			37
Real Estate	3	0	1	3	0	0	1	1	1	0			10
Public Accommodation	0	0	0	0	0	0	2	1	0	1			4
Education	0	0	0	0	1	0	0	0	0	0			1
Credit	0	0	0	0	0	0	0	0	0	0			0
Active Cases	45	48	44	49	54	59	59	58	59	59			
Employment	24	28	29	32	34	38	37	35	36	34			
Real Estate	9	9	7	9	11	12	12	13	13	13			
Public Accommodation	6	6	5	5	5	6	7	7	7	7			
Education	6	5	3	3	4	3	3	3	3	5			
Credit	0	0	0	0	0	0	0	0	0	0			
Average Age of Cases since NOF*													

*NOF (Notice of Finding). This includes cases that are now pending in state court.

Probable Cause Findings for the current month

This section provides detailed information on probable cause findings.

Mashburn v. Déjà vu Love Boutique is an employment case based on disability. Complainant alleged that she was terminated due to her disability.

Quick v. Phillips 66 Gas Station is a public accommodation case based on race. Complainant alleged that he was denied equal access to Respondents restroom.

Final Orders

This section provides information on cases that receive Final Orders by The Commission.

Washington v. Prompt Ambulance Service is an employment case based on race. Complainant alleged that she was terminated because of her race. The case was closed with a settlement.

Sheets v. Meijer Stores Limited Partnership is an employment case based on disability. Complainant alleged that she was denied employment because of her disability. The case was closed with a settlement.

Legal Updates

This section provides information on legal news, passing or changes in law and other state and local laws affecting The Commission.

Articles of Interest:

Lawsuit considered against apt. complex (10/1/2012, WISH-TV)

http://www.wishtv.com/dpp/news/local/marion_county/lawsuit-considered-against-apt-complex

Ministers say they're working through the Department of Housing, Congressman Andre Carson's office and Indiana Civil Rights Commission to force change.

HUD, Pennsylvania real estate group settle claim that group discriminated against Burmese families (9/28/2012, HUD.gov)

http://portal.hud.gov/hudportal/HUD?src=/press/press_releases_media_advisories/2012/HUDNo.12-160

WASHINGTON – The U.S. Department of Housing and Urban Development (HUD) announced today that it has reached a Conciliation Agreement with the Lancaster, PA-based Ecklin Group that will end an alleged policy of refusing to rent to Burmese refugee families.

The [agreement](#) is the result of a complaint HUD initiated against the Group after company staff allegedly failed to renew the leases of three Burmese families because of their national origin, and made statements to various people that the group would no longer accept rental referrals for refugees that were referred by Lutheran Refugee Services. The company denied the allegation.

Vanderburgh County Council approves budget that reduces payment to HRC (9/26/2012, Evansville Courier and Press)

<http://www.courierpress.com/news/2012/sep/26/vanderburgh-county-council-approves-budget/>

EVANSVILLE — The [Vanderburgh County Council](#) adopted its 2013 budget Wednesday, which included reductions to the city-county Human Relations Commission, raises for county employees and a health insurance allocation that puts County Commissioners in a tough position.

Tuchman Cleaners faces lawsuit over discrimination (9/26/2012, Indianapolis Star)

<http://www.indystar.com/article/20120926/NEWS/120926041/Tuchman-Cleaners-faces-lawsuit-over-discrimination?odyssey=tab%7Ctopnews%7Ctext%7CIndyStar.co>

A local dry cleaning company faces a federal lawsuit alleging it refused to promote an employee because of his race.

The U.S. Equal Employment Opportunity Commission accuses Tuchman Cleaners of Indiana of not promoting its former employee to an assistant manager position because he's African American. The lawsuit, filed Tuesday with the U.S. District Court of Southern Indiana, alleges that Brisco Palmer applied for the vacant position, but was not promoted despite receiving the required training.

Latino Resource Fair returns to Hammond (10/5/2012, Northwest Indiana Times)

http://www.nwitimes.com/news/local/lake/hammond/latino-resource-fair-returns-to-hammond/article_f9a5fef4-9467-53e3-b170-dc213926d4c3.html

HAMMOND | Hammond Hispanic Community Committee is hosting its ninth Annual Latino Resource Fair from 10 a.m. to 2 p.m. Saturday - full of resources, entertainment, and food for people through Northwest Indiana.

Indiana Civil Rights Commission will handle inquiries regarding discrimination in the areas of credit, age, education, and housing. American Red Cross will accept blood donations from 9 a.m. to 1 p.m., St. Catherine Hospital will offer health screenings, and the Hammond Police Department will fingerprint children for their families.

New Indiana laws aim to help ex-offenders (10/5/2012, Dearborn County Register)

http://www.thedcregister.com/index.php?option=com_content&view=article&id=4623%3Anew-indiana-laws-aim-to-help-ex-offenders-find-work&catid=92%3Abe-brief&Itemid=151

Two significant changes in state law allows non-violent offenders to have their criminal records sealed as well as gives courts the power to convert a Class D felony conviction to a Class A misdemeanor upon petition. The new Indiana laws, which went into effect last July, aim to help ex-offenders find work.

EEOC sues to redress sexual harassment of vulnerable farmworkers (10/4/2012, EEOC.gov)

<http://www.eeoc.gov/eeoc/newsroom/release/10-5-12.cfm>

WASHINGTON-The U.S. Equal Employment Opportunity Commission (EEOC) filed three lawsuits this week alleging sexual harassment and abuse of farmworkers-a group which is particularly vulnerable due to isolated working conditions and lack of familiarity with the protections of the law. The lawsuits are part of an ongoing effort to protect workers in agricultural industries.

Paid their debt to society (10/3/2012, Indianapolis Recorder)

http://www.indianapolisrecorder.com/news/article_7aa53cc0-0dc9-11e2-8bb6-001a4bcf887a.html

DeLon Dale has more than 20 years of warehouse experience, but is unable to get a job because he is an ex-offender. He served one year for a drug conviction and was released five months ago.

The Arc NWI to host Diversabilities Fair (10/17/2012, Northwest Indiana Times)

http://www.nwitimes.com/news/local/lake/highland/the-arc-nwi-to-host-diversabilities-fair/article_5982e2eb-74d6-55f8-9e4b-b8e282e809d1.html

October is National Disability Employment Awareness Month and The Arc Northwest Indiana is sponsoring its annual Diversabilities Fair to highlight this year's activities.

EEOC wins rare partial summary judgment ruling in racial harassment case (10/16/2012, EEOC.gov)

<http://www.eeoc.gov/eeoc/newsroom/release/10-16-12.cfm>

A federal judge has granted partial summary judgment in favor of the U.S. Equal Employment Opportunity Commission (EEOC) and denied an employer's motion for sanctions in an EEOC class racial harassment case against a Utah construction company.

Historian to speak at civil rights center (10/16/2012, South Bend Tribune)

<http://www.southbendtribune.com/news/sbt-historian-to-speak-at-civil-rights-center-20121016,0,3482342.story>

Author and historian Hasan Jeffries will present two public lectures this week at Indiana University South Bend's Civil Rights Heritage Center, 1040 W. Washington Street. Jeffries is a history professor at Ohio State University and author of the book "Bloody Lowndes: Civil Rights and Black Power in Alabama's Black Belt.

Indiana high school agrees to move girls basketball games to 'prime time' (10/15/2012, Indianapolis Star)

<http://www.indystar.com/article/20121015/SPORTS02/210150331/Indiana-high-school-agrees-move-girls-basketball-games-prime-time->

Facing a Title IX lawsuit, Franklin Count High School has agreed to increase the number of girls basketball games played in 'prime time' over the next three years to match the boy's total.

Sandra Leek, ex-head of Indiana Civil Rights Commission, dies at 58 (10/13/2012, Indianapolis Star)

<http://www.indystar.com/article/20121013/NEWS/121013021/Sandra-Leek-ex-head-Indiana-Civil-Rights-Commission-dies-58?odyssey=tab%7Ctopnews%7Ctext%7CIndyStar.com>

Sandra Leek, who served as head of the Indiana Civil Rights Commission under two governors, died on Friday, reportedly after being hospitalized for heart troubles, her friends say. She was 58.

Veteran Fort Wayne, Indiana detective files sexual harassment suit (10/12/2012, WFLI.com)

<http://www.wlfi.com/dpp/news/crime/veteran-indiana-detective-files-sexual-harassment-suit>

Bridget Glaser, a female detective in Fort Wayne, is suing the police department in federal court, claiming her civil rights were violated. Glaser says women in the Fort Wayne department were treated like “second-class citizens.”

Teacher, 80, files age discrimination claim against South Bend schools (10/23/2012, South Bend Tribune)

http://articles.southbendtribune.com/2012-10-23/news/34687383_1_union-president-age-discrimination-older-teachers

Beverlie Beck, an 80-year-old second grade teacher at Hamilton Traditional School, says that she’s one of the teachers South Bend school board President Roger Parent referred to when he e-mailed Superintendent Carole Schmidt saying that two “top-flight” teachers at Wilson Primary Center were told they wouldn’t be kept on the payroll this year had been “seniorited” out of the system by two teachers in their 80’s.

Ex-NBA employee files \$3 Million gender discrimination against the NBA (10/24/2012, Washington Post)

http://www.washingtonpost.com/business/ex-nba-employee-files-3m-gender-discrimination-ny-lawsuit-saying-nba-is-unfair-to-mothers/2012/10/23/ec61b3a0-1d7a-11e2-8817-41b9a7aaabc7_story.html

A New Jersey woman who worked for the NBA as a senior account executive filed a \$3 million gender discrimination lawsuit against the league Tuesday, saying it forced her and two other women with young children out of their jobs.

The lawsuit accused the NBA of changing her department’s hours while she was on pregnancy leave, requiring that she and other women with care giving responsibilities work at the office into the evening.

Civil rights groups accuse Bank of America of housing discrimination in Midwest (10/23/2012, Wisconsin Gazette)

<http://www.wisconsin gazette.com/breaking-news/civil-rights-groups-accuse-bank-of-america-of-housing-discrimination-in-midwest.html>

A coalition of fair housing groups – The National Fair Housing Alliance, the HOPE Fair Housing Center, the South Suburban Housing Center, the Metropolitan Milwaukee Fair Housing Council and the Fair Housing Center of Central Indiana – filed a federal discrimination complaint against Bank of America.

Kentucky Human Rights Commission: End death penalty (10/22/2012, WDRB.com)

<http://www.wdrb.com/story/19871556/ky-human-rights-commission-end-death-penalty>

The Kentucky Commission on Human Rights has called on the state to end the use of the death penalty, saying it is often applied unfairly against minorities and the poor.